



Michigan Immigrant Rights Center

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Anderson House Office Building
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Sent via email: Clerk@house.mi.gov

February 23, 2021

RE: Opposition to House Bill 4031 (2021)

Dear Michigan State House Agriculture Committee Members,

The Michigan Immigrant Rights Center (MIRC) writes in opposition to House Bill 4031(2021). MIRC is a statewide legal resource center for Michigan immigrants, farm workers, and immigrant workers. MIRC has a strong interest in supporting the well-being of over 90,000 Michigan migrant and seasonal farmworkers employed in field agriculture, nursery/greenhouse work, reforestation, and food processing plants and their families.¹

House Bill 4031(2021) would deny Michigan farm workers working at certain agricultural businesses the same protections that other workers receive when they are injured or die at work. The bill seeks to change the amount of time certain agricultural businesses have to report a death or injury to Michigan's Occupational Safety and Health Administration (MIOSHA) and reduces penalties for not reporting a death or injury of a farm worker as required. **All farm workers, regardless of the kind of agricultural employer they work for, should be equally protected by Michigan's workplace health and safety laws.** All Michigan agricultural employers should be held to the same reporting standards and held responsible for not timely reporting an injury or death of a farm worker at their workplace.

Farm work is among the most dangerous and deadly professions. Every day Michigan farmworkers are putting their lives at risk to keep us fed. The pandemic has exacerbated the dangers farm workers face at work. This bill is atrocious as it reduces the protections for farm workers who die or are injured in their workplace. Currently, MIOSHA requires that all employers report all workplace deaths within eight hours and this bill would increase the reporting time to seven days². This not only puts farm workers at risk but also contravenes federal OSHA laws. In addition, the bill would reduce civil penalties for not timely reporting a death or injury of a farm worker from \$10,000.00 to \$500.00, greatly disincentivizing agricultural businesses from alerting MIOSHA of injuries and death on time.

MIRC represents injured farm workers who depend on the quick action of agencies like MIOSHA to investigate unsafe working conditions and issue monetary penalties that deter agricultural companies from violating life saving workplace health and safety laws. This national pandemic has shown us that food and

¹ Michigan Update Migrant and Seasonal Farmworker Enumeration Profiles Study, 2013 https://www.michigan.gov/documents/dhs/MSFW_Fact_Sheet_496512_7.pdf

² MIOSHA operates Michigan's own OSHA program. Federal regulations require a state operating its own plan to adopt injury reporting requirements that are at least as effective as the federal standards.

agricultural workers are not only essential to our economy, but are also risking their lives every single day by being on the frontlines providing the food that keeps us fed. We need legislation that will provide more workplace protections for farm workers, not less.

Now is the time to re-envision and move toward a more just and equitable Michigan where the most vulnerable are protected from the ravages of the pandemic. A Michigan where the backbone of the food supply, the men and women who toil in the fields, packing sheds, processing plants, the individuals that feed us, have the same protections that other workers receive when they are injured or die at work.

Do the right thing and oppose HB 4031(2021).

Please reach out via email at ealvarez@michiganimmigrant.org or by phone at (269) 389-0668 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Alvarez', with a stylized flourish at the end.

Eva Alvarez, MPA
Public Policy Coordinator
Michigan Immigrant Rights Center